

## **Exhibit 27**



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Andrew Hrdlicka-Volume II

July 12, 2021

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Maritz Holdings Inc. and Maritz Motivation Inc

vs.

Drew Carter, et al.

<p>IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION</p> <p>MARITZ HOLDINGS INC. and ) MARITZ MOTIVATION INC., ) ) Plaintiffs, ) ) vs. ) No. 4:21-cv-00438 ) DREW CARTER, et al., ) ) Defendants. )</p> <p>DEPOSITION OF ANDREW HRDLICKA VOLUME II VIA ZOOM</p> <p>Taken on behalf of Plaintiffs July 12, 2021</p> <p>Kathy Heeb, CCR #1361</p> <p>PohlmanUSA Court Reporting (877) 421-0099</p> <p>1</p>	<p>1 IN THE UNITED STATES DISTRICT COURT 2 EASTERN DISTRICT OF MISSOURI 3 EASTERN DIVISION</p> <p>4 MARITZ HOLDINGS INC. and ) MARITZ MOTIVATION INC., ) 5 ) 6 Plaintiffs, ) 7 vs. ) No. 4:21-cv-00438 8 ) 9 DREW CARTER, et al., ) 10 ) 11 Defendants. )</p> <p>12 DEPOSITION OF ANDREW HRDLICKA, produced, 13 sworn, and examined on behalf of Plaintiffs, July 12, 14 2021, commencing at 10:32 a.m. and concluding at 10:49 15 a.m., via Zoom, before Kathy Heeb, a Certified 16 Shorthand Reporter for the State of Missouri. 17 REMOTE APPEARANCES 18 For Plaintiffs: 19 Ogletree, Deakins, Nash, Smoak &amp; Stewart, 20 P.C. 21 By: Justin Allen, Esq. 22 7700 Bonhomme Avenue, Suite 650 23 St. Louis, MO 63105 24 For Defendants: 25 Horwood Marcus &amp; Berk By: Richard Z. Wolf, Esq. 500 West Madison, Suite 3700 Chicago, IL 60661</p> <p>3</p>
<p>1 INDEX OF EXAMINATION 2 QUESTIONS BY MR. ALLEN. .... 4 3 4 5 6 INDEX OF EXHIBITS 7 NUMBER DESCRIPTION PAGE 8 9 (NO EXHIBITS MARKED.) 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p>2</p>	<p>1 IT IS HEREBY STIPULATED AND AGREED by and 2 between Counsel for the Plaintiff and Counsel for the 3 Defendants, that this deposition may be taken in 4 shorthand by Kathy Heeb, a Certified Shorthand 5 Reporter, and afterwards transcribed into typewriting, 6 and the signature of the witness is reserved by 7 agreement of counsel and the witness. 8 O-O-O 9 ANDREW HRDLICKA, 10 having been first duly sworn, was 11 examined and testified as follows: 12 ***** 13 EXAMINATION 14 BY MR. ALLEN: 15 Q. Good morning, Mr. Hrdlicka. I don't think 16 we met previously. My name is Justin Allen. I 17 represent Maritz in this case. We are here for your 18 recall deposition. We just have a couple of questions 19 we'd like to ask you based on some of the 20 investigation that's been going on in the case and 21 some documents that we received over the last week or 22 two. 23 Do you understand that the -- there is a 24 forensic neutral investigator in this case who has 25 been responsible for pulling documents and files off</p> <p>4</p>

## EXAMINATION BY MR. ALLEN

<p>1 of your devices and accounts?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. And in the process of that</p> <p>4 investigation, we recently learned of the existence of</p> <p>5 a folder by the name of Best of Atlas. Are you</p> <p>6 familiar with that folder?</p> <p>7 A. Yes.</p> <p>8 Q. And what is that folder?</p> <p>9 A. It's a folder of Maritz's documents that</p> <p>10 are mostly presentations and the schema models that</p> <p>11 were, I think, part of my -- that were part of my</p> <p>12 Dropbox.</p> <p>13 Q. Okay. So this is a folder that's been</p> <p>14 saved in your Dropbox cloud storage account, is that</p> <p>15 correct?</p> <p>16 A. Yes.</p> <p>17 Q. And you said that it contains -- you said</p> <p>18 PowerPoints as well as schema models, is that correct?</p> <p>19 A. Yes.</p> <p>20 Q. I saw a number of files with names</p> <p>21 including .avdl and .avsc. Are you familiar with</p> <p>22 those types of files?</p> <p>23 A. Yes.</p> <p>24 Q. Are those the schema files that you just</p> <p>25 referred to?</p> <p style="text-align: right;">5</p>	<p>1 Q. And what was your purpose of collecting</p> <p>2 these documents and adding them to the Best of Atlas</p> <p>3 file, folder?</p> <p>4 A. It was -- it was files that I worked on</p> <p>5 while I was at Maritz that I felt like were some of</p> <p>6 the -- the -- the, like, most important things that I</p> <p>7 worked on. So I had a folder on my work laptop that</p> <p>8 had -- that was named that. So I -- so I made that</p> <p>9 folder because they were things that felt important at</p> <p>10 the time.</p> <p>11 Q. Were these things that you believe may have</p> <p>12 future or potential value to you?</p> <p>13 A. They could have potential value in some</p> <p>14 potential way.</p> <p>15 Q. Okay. And what do you mean by that?</p> <p>16 A. It could be things like -- like a -- like</p> <p>17 memories of presentation that I gave. Of good things.</p> <p>18 Of something that could be helpful to review my</p> <p>19 thinking at -- at a certain point in time.</p> <p>20 Q. Setting aside the PowerPoints, what about</p> <p>21 the ADVL and AVSC files, what kind of potential value</p> <p>22 might those have had to you?</p> <p>23 A. I mean, it's tough to speak about potential</p> <p>24 value. But it's something that could potentially save</p> <p>25 a little bit of time.</p> <p style="text-align: right;">7</p>
<p>1 A. Yes.</p> <p>2 Q. What's the difference between an ADVL and</p> <p>3 an AVSC?</p> <p>4 A. So as best as I can recall, it is -- an</p> <p>5 AVDL is a little bit more like readable, and an AVSC</p> <p>6 is more -- I think it's referred to as being -- I</p> <p>7 think it's compiled. So that's more of the, like --</p> <p>8 what the -- you know, like actual, like, programming</p> <p>9 and the -- you know, like, stuff that you use the</p> <p>10 schema for would use those compiled files. And a</p> <p>11 human would look at the AVDL file because it's a</p> <p>12 little bit more easy to read.</p> <p>13 Q. This Best of Atlas file, does anybody other</p> <p>14 than you have access to it?</p> <p>15 A. No.</p> <p>16 Q. Has anyone else ever had access to it</p> <p>17 besides you at any other time?</p> <p>18 A. Not that I'm aware of.</p> <p>19 Q. Okay. Did Ben Valenti or Daniel Conwell</p> <p>20 add anything to the Best of Atlas file or folder?</p> <p>21 A. Not that I'm aware of.</p> <p>22 Q. Okay. So anything that is found in the</p> <p>23 Best of Atlas file in your Dropbox account would have</p> <p>24 been added by you, is that correct?</p> <p>25 A. Yes.</p> <p style="text-align: right;">6</p>	<p>1 Q. Okay.</p> <p>2 Are you familiar with a product known as</p> <p>3 the Whistle Incentive Management product?</p> <p>4 A. Not by that name.</p> <p>5 Q. Okay. Do you know of such a product by</p> <p>6 another name?</p> <p>7 A. I'm not sure what that -- what that is</p> <p>8 referring to.</p> <p>9 Q. Okay.</p> <p>10 You've never heard of a product that goes</p> <p>11 by the acronym WIM?</p> <p>12 A. Not that I can recall. It -- I feel</p> <p>13 like -- and to, like, at this point this is -- well,</p> <p>14 that sounds like a name that Drew might have given</p> <p>15 something. But I have never called anything by that</p> <p>16 name. As best as I can remember.</p> <p>17 Q. Okay.</p> <p>18 Does Whistle have a product used for the</p> <p>19 management of incentives programs?</p> <p>20 A. What do you mean by the management of them?</p> <p>21 Q. A program that incorporates things like</p> <p>22 incentive program rules, recognitions, incentive</p> <p>23 program operations, to manage those processes on</p> <p>24 behalf of a client.</p> <p>25 A. Okay. At this time Whistle does not have a</p> <p style="text-align: right;">8</p>

## EXAMINATION BY MR. ALLEN

<p>1 So I would say that those are the two</p> <p>2 biggest priorities as best that I'm aware of, but I'm</p> <p>3 not in charge of the engineering roadmap.</p> <p>4 Q. Who would be in charge of that, Ben</p> <p>5 Valenti?</p> <p>6 A. Yes.</p> <p>7 Q. Do you have a sense for what kind of</p> <p>8 priority or what kind of resources are being devoted</p> <p>9 to development of the incentives program at this time?</p> <p>10 A. No.</p> <p>11 Q. Have you been, since let's say April 1 of</p> <p>12 2021, subject to any discipline at Whistle?</p> <p>13 A. I have not.</p> <p>14 Q. Has anyone had any discussions with you</p> <p>15 about inappropriate behavior as relates to Maritz'</p> <p>16 confidential information at Whistle?</p> <p>17 MR. WOLF: Object to the form.</p> <p>18 Go ahead. You can answer.</p> <p>19 A. So it's hard for me to answer because we --</p> <p>20 we talk about the lawsuit all the time. And I -- and</p> <p>21 I can't, you know, like, differentiate exactly, you</p> <p>22 know, like -- we are all named parties in the suit so</p> <p>23 we're all kind of in it together.</p> <p>24 Q. (BY MR. ALLEN) Has anyone in the</p> <p>25 management of Whistle expressed any disappointment or</p> <p style="text-align: right;">13</p>	<p>1 REPORTER CERTIFICATE</p> <p>2</p> <p>3 I, KATHY HEEB, a Certified Shorthand</p> <p>4 Reporter, do hereby certify that there came before me</p> <p>5 via Zoom,</p> <p>6 ANDREW HRDLICKA</p> <p>7 who was by me first duly sworn; that the witness was</p> <p>8 carefully examined, that said examination was reported</p> <p>9 by myself, translated and proofread using</p> <p>10 computer-aided transcription, and the above transcript</p> <p>11 of proceedings is a true and accurate transcript of my</p> <p>12 notes as taken at the time of the examination of this</p> <p>13 witness.</p> <p>14 I further certify that I am neither</p> <p>15 attorney nor counsel for nor related nor employed by</p> <p>16 any of the parties to the action in which this</p> <p>17 examination is taken; further, that I am not a</p> <p>18 relative or employee of any attorney or counsel</p> <p>19 employed by the parties hereto or financially</p> <p>20 interested in this action.</p> <p>21 Dated this 12th day of July 2021</p> <p>22 _____</p> <p>23 Kathy Heeb, CSR, CLR</p> <p>24</p> <p>25</p> <p style="text-align: right;">15</p>
<p>1 frustration with you based on your acquisition or</p> <p>2 retention of Maritz' documents?</p> <p>3 A. I would say -- oh, man. As management of</p> <p>4 Whistle, you know, you know, no one has formally said</p> <p>5 anything that way. We -- one thing that I can say is</p> <p>6 that -- well, is that I have been disappointed in</p> <p>7 myself. But I don't think that anyone has -- has --</p> <p>8 has told me that they are disappointed with me.</p> <p>9 MR. ALLEN: No further questions.</p> <p>10 MR. WOLF: We'll reserve.</p> <p>11</p> <p>12 (Whereupon the deposition concluded at</p> <p>13 10:49 a.m.)</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">14</p>	